

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SCOTT SEDORE,

Plaintiff,
v.

Case No. 23-10647
Honorable Jonathan J.C. Grey

HEIDI WASHINGTON, et al.,

Defendants.
_____ /

**ORDER ADOPTING REPORT AND RECOMMENDATION
TO DENY PLAINTIFF'S MOTION FOR PRELIMINARY
INJUNCTION (ECF No. 35)**

I. INTRODUCTION

Pro se plaintiff Scott Sedore filed this 42 U.S.C. § 1983 lawsuit against numerous defendants, alleging violations of his Eighth Amendment rights and the Americans with Disabilities Act. (ECF No. 1, PageID.4–6, 9–11.) This matter comes before the Court on Magistrate Judge Patricia T. Morris' Report and Recommendation dated July 12, 2023 (the "R&R") (ECF No. 35) related to Sedore's motions for preliminary injunction. (ECF Nos 27, 28, 32.) In the R&R, Magistrate Judge Morris recommends that the Court deny Sedore's motions for preliminary injunction. Sedore filed an objection to the R&R.

II. ANALYSIS

The Court has had an opportunity to review this matter and finds that the Magistrate Judge reached the correct conclusions for the proper reasons in the R&R. Further, the Court has reviewed Sedore's objections to the R&R and comes to the following conclusion.

1. Availability of 8-inch, three speed fan

Sedore contends that the Magistrate Judge erred in finding that Sedore's motions for a preliminary injunction were moot because as of the date of his objection, July 20, 2023, the MDOC had yet to change its policy to allow Sedore to purchase the 8-inch, three speed fans he requested in his motions.

As highlighted in defendants' response in opposition to Sedore's objection (ECF No. 38, PageID.409), the record reflects that as of July 24, 2023, the MDOC has made 8-inch, three speed fans available for Sedore, and other similarly situated prisoners. Consequently, Sedore's objection to the R&R is moot.

For the reasons stated, the Court **DENIES** Sedore's objection to the R&R.

III. CONCLUSION

Finding no error in the Magistrate Judge's July 12, 2023 Report and Recommendation, the Court adopts the Report and Recommendation (ECF No. 35) in its entirety.

For the reasons stated above, **IT IS ORDERED** that the Report and Recommendation dated July 12, 2023 (ECF No. 35) is **ADOPTED** as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that the objection to the July 12, 2023 Report and Recommendation filed by Sedore (ECF No. 37) is **DENIED**.

SO ORDERED.

Dated: April 3, 2024

s/Jonathan J.C. Grey
JONATHAN J.C. GREY
UNITED STATES DISTRICT JUDGE

Certificate of Service

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First-Class U.S. mail addresses disclosed on the Notice of Electronic Filing on April 3, 2024.

s/ S. Osorio
Sandra Osorio
Case Manager